

# PHYSIOTHERAPISTS BOARD OF QUEENSLAND

Newsletter

May 2003

## **MEMBERS OF THE BOARD**

The three year term of appointment for the Members of the Physiotherapists Board commenced on 6 September 2001 and expires on 5 September 2004. The Board Members are:

Ms Elaine Unkles, B Pty (Hons), B Ed St, B Bus (Hlth Admin), FCHSE, C Dec (Chairperson)  
Ms Kathy Grudzinskas, B App Sc (Pty), M Bus Admin (Deputy Chairperson)  
Associate Professor Gwen Jull, Dip Pty, Grad Dip Manip, M Pty, PhD, FACP  
Mr Robert Thams, B Pty  
Mrs Margaret Tweeddale, Dip Pty  
Dr Bill Vicenzino, B Pty, Grad Dip Sports Pty, M Sc, PhD  
Ms Elizabeth Born, Dip Teach, B Ed, M Ed Stud, Cert Assess & WP Train, Dip Front Mgt  
Mr Geoff Rowe, B Soc Wk (representative for users of services of physiotherapists)  
Mr Chris O'Brien, B Pty, LLB (Hons), MBA, C Dec (solicitor)

## **ETHICS & PROFESSIONAL CONDUCT**

Registrants are reminded that they are expected to deliver health services in a "professional, safe and competent way". The *Health Practitioners (Professional Standards) Act 1999* defines "unsatisfactory professional conduct" for registrants, as:

- a. professional conduct that is of a lesser standard than that which might reasonably be expected of the registrant by the public or the registrant's professional peers;
- b. professional conduct that demonstrates incompetence, or a lack of adequate knowledge, skill, judgment or care, in the practice of the registrant's profession;
- c. infamous conduct in a professional respect;
- d. misconduct in a professional respect;
- e. conduct discreditable to the registrant's profession;
- f. providing a person with health services of a kind that are excessive, unnecessary or not reasonably required for the person's wellbeing;
- g. influencing, or attempting to influence, the conduct of another registrant in a way that may compromise patient care;

- h. fraudulent or dishonest behaviour in the practise of the registrant's profession;
- i. other improper or unethical conduct.

Registrants can access the *Health Practitioners (Professional Standards) Act 1999* and the *Physiotherapists Registration Act 2001* on the website: [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

The Board has also adopted the "Queensland Nursing Council and Health Practitioner Boards' Statement on Sexual Relationships Between Health Practitioners and their Patients". This statement provides guidance to registrants about the expected standard of conduct between practitioners and their patients. The Statement can be accessed on the Board's website: [www.physioboard.qld.gov.au](http://www.physioboard.qld.gov.au)

### **NOTE:**

Registration renewal notices and restoration notices are listed on the Board's website: [www.physioboard.qld.gov.au](http://www.physioboard.qld.gov.au) at the time of posting to registrants.

## **NEW LEGISLATION**

The *Physiotherapists Registration Act 2001* and the *Physiotherapists Registration Regulation 2002* commenced on 1 February 2002. Registrants should peruse these documents which are available on the website: [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

The introduction of the new legislation has brought significant changes to the powers and responsibilities of the Board. Examples of these changes are:

### **Applying for registration**

Before deciding an application for registration, the Board may:

- investigate the applicant,
- require the applicant to undertake a health assessment;
- ask the Commissioner of Police Service for a written report about the applicant's criminal history; and/or
- place conditions on an applicant's general registration if the Board considers it necessary for the applicant to competently and safely practise the profession.

### **Registration Period**

The *Physiotherapists Registration Act 2001* also provided for a change in the registration period from a calendar year to a financial year.

Due to the transitional arrangements contained in the new Act, registrants previously registered until 31 December 2002 had their registration extended to 31 January 2003. Those registrants received a renewal notice to renew their registration to 30 June 2003. All registrants will now receive a renewal notice for 12 months registration each year from 1 July to 30 June.

### **Renewal of Registration**

In accordance with the new Act, registrants must apply for renewal of registration by completing and signing the renewal form, including the mandatory declaration about any ongoing medical condition that may adversely affect the applicant's ability to competently and safely practise the

profession, and returning the form together with the registration fee by the prescribed time.

### **Restoration of Registration**

A person is only eligible to apply for restoration of registration within three months after the expiry of registration. If a person's registration has been expired for more than three months, the person is required to re-apply. This may cause problems for those physiotherapists who have a qualification that is no longer prescribed for registration purposes.

### **Holding out as a Physiotherapist**

Penalties for holding out as a physiotherapist or implying that they are qualified to practise physiotherapy have been substantially increased. The maximum penalty that can be imposed on a person for this offence is 1,000 penalty points (\$75,000).

### **Recency of Practice**

The new Act also allows the Board to introduce "recency of practice requirements" on renewal of registration. To date, "recency of practice requirements" have not been developed. There will be considerable consultation on any "recency of practice" requirements before they are introduced. Registrants will also be kept informed of developments in relation to any proposed "recency of practice" requirements.

### **Change of address**

Registrants must notify the Board of a change in address within 14 days. A registrant's residential address will not be available for inspection on the public register unless permission is obtained from the registrant. The Register of Physiotherapists, as well as other health practitioner registers, is available on the website:

[www.healthregboards.qld.gov.au](http://www.healthregboards.qld.gov.au)

### **Notification of business names**

Registrants must notify the Board if practising under a business name other than their own name.

## COMPLAINTS

During the 2001-2002 financial year the Board considered 11 complaints.

Five complaints relating to allegations of unregistered persons advertising as Physiotherapists or implying that they were qualified to practise physiotherapy were considered by the Board under the repealed *Physiotherapists Act 1964* and the *Physiotherapists Registration Act 2001*. Four were resolved when the offending persons agreed to desist from advertising as a Physiotherapist and to amend advertising material. The other complaint was still under investigation at the end of the reporting period.

Six complaints were considered by the Board under the *Health Practitioners (Professional Standards) Act 1999*. Details of these complaints are:

- One related to allegations of unprofessional behaviour and incompetence. Following investigation, the registrant voluntarily agreed to enter into an undertaking to participate in upskilling training.
- One related to notification from a government agency that a physiotherapist had been retired through ill-health. The Board appointed a Health Assessment Committee which sought the co-operation of the registrant to undergo a health assessment. The registrant failed to undergo a health assessment and as a consequence the Board suspended the registrant's registration.
- Two complaints from clients of practitioners were referred to the Health Rights Commissioner. One related to allegations of unprofessional conduct concerning standards of service and duty of care; the other to allegations of overservicing and overcharging.
- Two complaints involved allegations of unprofessional clinical record keeping. One was made by an insurance company, the other by a government agency. One was investigated and the registrant voluntarily agreed to enter into an undertaking to improve clinical record keeping. The other

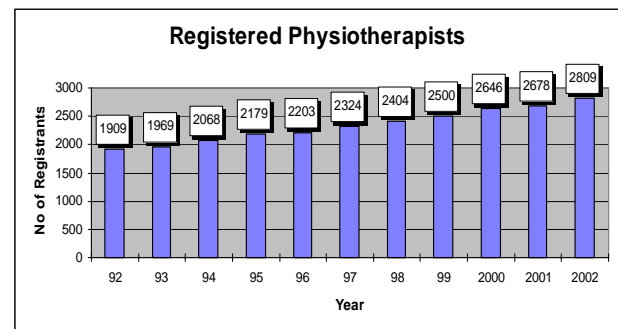
was still under investigation at the end of the reporting period.

## REGISTER

The Board is no longer required by law to produce a printed copy of the Register each year. The "Public Access Register" is available on the Board's website: [www.physioboard.qld.gov.au](http://www.physioboard.qld.gov.au) or the Office website: [www.healthregboards.qld.gov.au](http://www.healthregboards.qld.gov.au)

A registrant's residential address will not be available for inspection on the public register unless permission is obtained from the registrant.

The following graph illustrates the growth in the number of registered Physiotherapists from 30 June 1992 to 30 June 2002.



## MAINTAINING REGISTRATION

Registrants are reminded of the importance of maintaining registration. If a person is not eligible to restore to the register, the person will be required to re-apply and the qualification relied on may not be a current physiotherapy qualification prescribed for registration purposes in the legislation.

Registrants are also reminded that failure to maintain registration will compromise:

- your Health Insurance Commission (Provider) number and your patients will not be able to claim refunds from health funds;
- your indemnity insurance;
- claims through the Department of Veterans Affairs for services provided to veterans;
- Workcover claims.

## ACOPRA

ACOPRA Inc (Australian Council of Physiotherapy Regulating Authorities) has a number of responsibilities. These include:

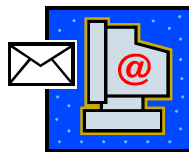
- Accreditation of new and existing physiotherapy educational programs;
- Assessing overseas qualified physiotherapists to ensure competence for registration purposes;
- Oversight of the Australian Physiotherapy Competency Standards;
- Reviewing legislative matters to ensure a consistent national approach to physiotherapy registration; and
- Skills assessment of overseas qualified physiotherapists for migration purposes.

Contact details for ACOPRA are:

Executive Officer  
 ACOPRA  
 PO Box 371  
 INDOOROOPIILLY QLD 4068  
 Phone: 07 3720 0090  
 Fax: 07 3720 0070  
 Email: [admin@acopra.com.au](mailto:admin@acopra.com.au)  
 Website: [www.acopra.com.au](http://www.acopra.com.au)

Elaine Unkles	Board representative to ACOPRA
Chris O'Brien	ACOPRA Legislative Review Committee
Margaret Tweeddale	Board representative for UQ School of Health and Rehabilitation Sciences

### INTERSTATE & NEW ZEALAND REGISTRATION BOARDS CONTACT DETAILS



Physiotherapists Registration Board of New South Wales  
 Phone: 02 9219 0255

Physiotherapists Registration Board of Victoria  
 Phone: 03 9258 6777

Physiotherapists Board of ACT  
 Phone: 02 6205 1599

Physiotherapists Board of South Australia  
 Phone: 08 8274 1488

Physiotherapists Registration Board of Western Australia  
 Phone: 08 9368 2644

Physiotherapists Registration Board of Tasmania  
 Phone: 03 6231 3866

Physiotherapists Board of New Zealand  
 Phone: 64 4 471 2610

Registrants who hold current registration in one State/Territory of Australia or New Zealand may apply to another State/Territory or New Zealand under the Mutual Recognition or Trans Tasman Mutual Recognition arrangements.

### OFFICE CONTACTS



The Office of Health Practitioner Registration Boards (OHPRB) is open to the public between 9.00 am and 4.00 pm Monday to Friday and is located at:

Level 19, Forestry House  
 160 Mary Street  
 BRISBANE QLD 4000

Executive Officer:	Mr J O'Dempsey
Assistant Registrar:	Mrs Pauline Portier
Administration Officers:	Ms Sinead Lee Ms Billie Johnston

Telephone: 61 7 3234 1164  
 Fax: 61 7 3225 2527  
 Email: [physiotherapy@healthregboards.qld.gov.au](mailto:physiotherapy@healthregboards.qld.gov.au)  
 Website: [www.physioboard.qld.gov.au](http://www.physioboard.qld.gov.au)

Correspondence should be addressed to:  
 Executive Officer  
 Physiotherapists Board of Queensland  
 GPO Box 2438  
 BRISBANE QLD 4001

#### RE MINDE R:

1. The Health Insurance Commission has access to the Register and health insurance companies do random checks on the registration status of registrants.
2. The Register of Physiotherapists is available via the "Public Access" on the Board's website or the Office website: [www.healthregboards.qld.gov.au](http://www.healthregboards.qld.gov.au)